



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** March 21, 2001

**SUBMITTED BY:** Human Resources Director

**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

	<u>Date of Loss</u>
A) Andrew Conley	09/25/00
B) Bertha Schock	08/19/00
C) Kenny Rawe	10/27/00
D) Delta Radiology Medical	07/13/00
E) Steven Anthes	01/24/01
F) Michelle Garcia	01/10/01
G) Barbara Farhat	06/25/00

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), and the Senior Human Resources Analyst, recommend that the City deny the subject claims.

**FUNDING:** None required.

Respectfully submitted,

Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

March 22, 2001

Andrew Conley  
c/o Law Offices of Mark A. Thiel  
1743 Grand Canal Blvd., Suite 15  
Stockton, CA 95207

RE: Claim against the City of Lodi

Claimant: Andrew Conley  
Date of Loss: September 25, 2000  
Our Claim Number: 564

Dear Claimant:

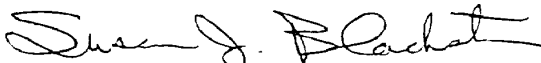
Notice is hereby given that the claim you presented to the City of Lodi on February 1, 2001, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Bertha Schock  
2206 Corbin Lane  
Lodi, CA 95242

RE: Claim against the City of Lodi

Claimant: Bertha Schock  
Date of Loss: August 19, 2000  
Our Claim Number: 931

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on September 5, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA-

CITY COUNCIL

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Kenny Rawe  
3101 Julia Way  
Modesto, CA 95350

RE: Claim against the City of Lodi

Claimant: Kenny Rawe  
Date of Loss: October 27, 2000  
Our Claim Number: 499

Dear Claimant:

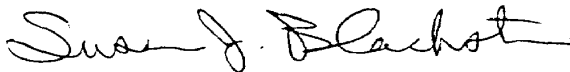
Notice is hereby given that the claim you presented to the City of Lodi on November 21, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA-

CITY COUNCIL

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Delta Radiology  
1121 W. Vine Street, Suite 16  
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Delta Radiology  
Date of Loss: July 13, 2000  
Our Claim Number: 463

Dear Claimant:

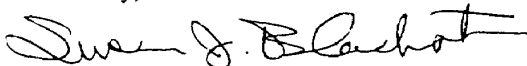
Notice is hereby given that the claim you presented to the City of Lodi on October 12, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Steven M. Anthes II  
2401 Eilers Lane #901  
Lodi, CA 95242

RE: Claim against the City of Lodi

Claimant: Steven M. Anthes II  
Date of Loss: January 24, 2001  
Our Claim Number: 563

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on February 5, 2001, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA-

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Michelle Garcia  
511 ½ S. Sacramento St. #1  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Claimant: Michelle Garcia  
Date of Loss: January 10, 2001  
Our Claim Number: 553

Dear Claimant:

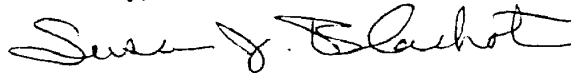
Notice is hereby given that the claim you presented to the City of Lodi on February 9, 2001, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA -

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City Attorney

## Notice of Claim Rejection

March 22, 2001

Barbara Farhat  
903 Lloyd Street  
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Barbara Farhat  
Date of Loss: June 25, 2000  
Our Claim Number: 531

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on December 22, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA